

REMARKS

This application pertains to a novel separation module.

Claims 1, 2 and 4-26 are pending, although claims 17-25 have been withdrawn from consideration as drawn to non-elected subject matter.

Applicants respectfully request that the non-elected subject matter be rejoined with the elected subject-matter upon allowance of elected subject-matter.

Claim 1 has been amended to recite that strips are attached to the capillaries while the capillaries are parallel, and that the capillaries are then wound into a bundle. This provides for the separation of the capillaries from each other by a defined distance, and also forms baffle plates within the bundle. Support is found in the sentence bridging pages 10 and 11, Example 5 at page 14 and by Figs. 7 and 8.

Claims 1, 2, 4-6, 12 and 26 stand rejected under 35 U.S.C. 103(a) as obvious over Cote in view of Taketomo (US 4,671,809). The Examiner contends that Taketomo's module comprises sheet/spacers (26) at several points along the length of the capillaries so that the individual capillaries are spaced apart by small differences, and refers to Figure 10 and Col. 1, lines 50-55, of the Taketomo reference. The figure and language pointed to by the Examiner are not any part of Taketomo's invention, but rather pertain to the prior art discussed by Taketomo. Beyond that, the figure and language pointed to by the Examiner do not teach or suggest anything about attaching

film strips to the capillaries while they are parallel, and then winding the capillaries into a bundle, whereby the film strips fix the distance between the capillaries and also form baffle plates within the bundle, nor does anything to be found in the Cote reference.

The rejection of claims 2, 4-6, 12 and 26 under 35 U.S.C. 103(a) as obvious over Cote in view of Taketomo (US 4,671,809) should therefore now be withdrawn.

Claims 8 and 9 stand rejected under 35 U.S.C. 103(a) as obvious over Cote in view of Taketomo and further in view of Pederson (US 5,366,625). The Examiner relies on Pederson for rounded capillary bundles having a diameter of 20mm to 50mm. Such rounded bundles could not in any way compensate for the deficiencies of the Cote and Taketomo references, as discussed above. The rejection of claims 8 and 9 under 35 U.S.C. 103(b) as obvious over Cote in view of Taketomo and further in view of Pederson (US 5,366,625) should accordingly now be withdrawn.

Claims 13 and 14 stand rejected under 35 U.S.C. 103(a) as obvious over Cote in view of Taketomo and further in view of Shay (US 4,310,607). The Examiner relies on Shay for a stainless steel housing. A stainless steel housing will not in any way overcome the differences pointed out above, however, and the rejection of claims 13 and 14 under 35 U.S.C. 103(a) as obvious over Cote in view of Taketomo and further in view of Shay (US 4,310,607) should be withdrawn.

Claim 15 stands rejected under 35 U.S.C. 103(a) as obvious over Cote in view of Taketomo and further in view of Bellhouse (US 6,217,764). The Examiner relies on Bellhouse for a ceramic housing. A ceramic housing could not possibly overcome the distinctions between the disclosure of the Cote and Taketomo disclosures and Applicants' claims as pointed out above, however. The rejection of claim 15 under 35 U.S.C. 103(a) as obvious over Cote in view of Taketomo and further in view of Bellhouse (US 6,217,764) should therefore now be withdrawn.

Claim 16 stands rejected under 35 U.S.C. 103(a) as obvious over Cote in view of Taketomo and further in view of Dobo (US 4,268,278). The Examiner relies on Dobo for a separation module comprising a catalyst. This, however, will not overcome the basic differences discussed above, and the rejection of claim 16 under 35 U.S.C. 103(a) as obvious over Cote in view of Taketomo and further in view of Dobo (US 4,268,278) should now be withdrawn.

In view of the present amendments and remarks it is believed that claims 1, 2 and 4-26 are now in condition for allowance. Reconsideration of said claims by the Examiner is respectfully requested and the allowance thereof is courteously solicited. Should the Examiner not deem the present amendment and remarks to place the instant claims in condition for allowance, it is respectfully requested that this Amendment Under Rule 116 be entered for the purpose of placing the prosecution record in better condition for appeal.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Applicants request that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fee or credit any excess to Deposit Account No. 14-1263.

Respectfully submitted,
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